REMARKS

By this amendment, applicants have amended claims 1 and 12 to recite that the flat center core member has a thickness greater than that of the second flat face sheet. See, e.g., numbered paragraphs 0021 and 0022 of the substitute specification. Applicants have also added claims 23 - 40 to define further aspects of the present invention. Independent claim 23 corresponds to claim 13 as filed August 18, 2003, written in independent form. Independent claim 29 relates to a bent composite panel produced by a particular process. See, e.g., Figures 2 - 5 and the description thereof in applicants' specification. Dependent claims 24 - 28 and 30 - 40 define further aspects of the present invention.

Claims 1, 12, 21 and 22 stand rejected under 35 USC 102(b) as allegedly being anticipated by United States Patent No. 2,774,699 to Clark. Claims 10, 11, 13 and 15 - 17, as well as claims 14 and 18 - 20 stand rejected under 35 USC 103(a) as being unpatentable over Clark. Applicants traverse these rejections and request reconsideration thereof.

The present invention relates to a composite panel and a bent composite panel. The rejected claims relate to a composite panel shown, by way of example only, in Figure 1.

Figure 1 shows a composite panel including a first flat face sheet 11, a second flat face sheet 12, and a flat center core member 13 provided between the first flat face sheet 11 and the second flat face sheet 12. The flat center core member 13 has a thickness greater than the thickness of the second flat face sheet 12. The length of the first flat face sheet 11 is equal to a length of the flat center core member 13. An end portion 12a of the second flat face sheet 12 is positioned shorter than the end portion of the flat core member 13. The whole face of the first

flat face sheet 11 is adhered to substantially a whole face of the flat center core member 13. The center core member, and the side of the end portion 12a of the second flat face sheet 12 is not adhered to the second flat face sheet 12, whereby the second flat face sheet 12 is partially adhered to the flat center core member 13. See, e.g., numbered paragraphs [0023] and [0024] of the substitute specification. It is submitted the invention set forth in independent claims 1 and 12 is neither disclosed nor suggested by Clark.

The patent to Clark relates to ribbed strips for insoles, and methods of making the same. In support of the rejections, the Examiner equates the elements of the Clark invention labeled with reference numerals 20 and 22 with the first and second flat face sheets of the present invention, respectively, and equates the element labeled with reference numeral 26 of Clark with the flat centered core member of the present invention. However, the ribbed strips for insoles of Clark are quite different than the composite panel of the present invention. In Clark, the composite ribbed strip S includes a strip 20 of fabric and a strip 22 of fibrous material bonded with latex. The strip of fibrous material 22 is narrower than the fabric strip 20 and may be coated on one side with cement as indicated at 24. The fabric strip 20 is also coated, at least on one side, with a similar cement, as indicated at 26. Thus, element 26 of Clark is not a flat center core member, but is merely cement which can be used to bond the strip 20 of fabric to the strip 22 of fibrous material. As now set forth in claims 1 and 12, the flat center core member has a thickness greater than that of the second flat face sheet. Such is clearly not shown in Clark in which element 26 is merely cement coated on the fibrous material 22. In light of the teaching that element 26 is merely cement used to bond the two strips 20 and 22 together, there would have been no motivation to modify the teachings of Clark to

replace the cement 26 with a flat center core member having a thickness greater than that of the fibrous material strip 22.

Moreover, while the Examiner alleges it would have been obvious to modify the teachings of Clark to make the strips 20, 22 and cement 26 of various materials set forth in applicants' dependent claims, it is submitted there would have been no motivation to use such materials to make a ribbed strip for insoles. Moreover, while the Examiner alleges it would have been obvious to modify the teachings of Clark to make the strips 20, 22 and cement 26 with the thicknesses set forth in various ones of applicants' dependent claims, nothing in Clark nor any knowledge available to those skilled in the art would have suggested such a modification. For example, dependent claims 14, 18 and 20 recite that the flat center core member of the present invention has a thickness in the range of about 20 to 50 mm. Making the cement coating 26 of Clark with a thickness of 20 to 50 mm would be impractical, not only in terms of bonding the strips 20 and 22, but also in terms of the intended use of the rib strips for insoles.

Applicants submit the Clark patent also does not disclose and would not have suggested the composite panel or bent composite panel set forth in new claims 23 - 40. Claim 23 recites that the flat center core member is made of a material selected from the group consisting of a honeycomb-shaped paper, a honeycomb-shaped fiber reinforced plastic and foam material. Such materials are quite different than the cement material disclosed as element 26 of Clark. Moreover, claim 23 requires, in combination with such a flat center core member, that the first and second flat face sheets are made of a material selected from the group consisting of metal, fiber reinforced plastic and paper. These features are neither disclosed nor suggested by Clark.

With respect to new independent claim 29, claim 29 relates to the bent composite panel of the present invention. One embodiment of the bent composite panel, is shown, by way of example only, in Figure 5. The bent composite panel is produced by the process set forth in claim 29 including providing a flat composite panel, bending the flat second face sheet of the flat composite panel at a bending position so as to bend the second end portion of the second face sheet away from the flat center core member, cutting a V-shaped cut-out in the second major surface of the flat center core member at a portion adjacent a bending position, bending the flat center core member and the first flat sheet about an apex of the V-shaped cut-out, and adhering the second major surface of the center core member to the second end portion of the second end face sheet. The composite panel produced by this method is clearly different than the ribbed strip of Clark. In Clark, only the strip 22 of fibrous material (and the cement 24 coated thereon is bent. Neither the fabric strip 20 nor the cement coated thereon is bent according to Clark. Certainly, there is no V-shaped cut-out made in the cement 26 during the method of making the ribbed strips. Clearly, the bent composite panel of the present invention is different than the ribbed strips of Clark.

For the foregoing reasons, it is submitted the presently claimed invention is patentable over the Clark patent.

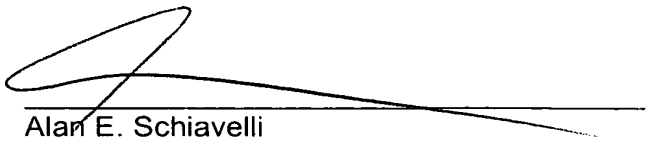
In view of the foregoing amendments and remarks, favorable reconsideration and allowance of all of the claims now in the application are requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli,

Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 503.39842X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



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